

EXHIBIT 5

Form DI-1892 REV. August 2015	U. S. Department of the Interior Complaint of Discrimination RECEIVED OCT 21 2019 BY: OCR
Complainant's Name: <u>DAVE J McCutcheon</u>	
Employer: <u>NATIONAL PARK SERVICE</u>	
Location: <u>STATUE OF LIBERTY N.M</u>	
Street Address:	Street Address: <u>LIBERTY ISLAND</u>
City, State, Zip:	City, State, Zip Code: <u>NEW YORK, NY 10004</u>
Home Telephone:	Work Telephone: <u>(646)-356-2134</u> FAX: <u>(212) 363-6304</u>
Cellular Telephone:	
2. DOI Office/Bureau which you believe discriminated against you:	
Office/Bureau: <u>NATIONAL PARK SERVICE</u>	Division/Office: <u>1940</u>
Address: <u>143 SOUTH THIRD STREET</u>	Region: <u>NORTH ATLANTIC REGION</u>
City, State, Zip Code: <u>PHILADELPHIA PA 19106</u>	Involved Official(s):
Work Telephone: <u>(215) 597-4822</u>	
3. Basis(es) for believing you were discriminated against: (Check one or more, and provide the specific information.)	
Race: _____	Age (Date of Birth): <u>JUNE 25, 1960</u>
Color: _____	Physical Disability (specify): _____
Religion: _____	Mental Disability (specify): _____ Other: _____
Sex: _____	Reprisal: <input checked="" type="checkbox"/> _____ Other: _____
National Origin: _____	(Date(s) of previous EEO activity): <u>NPS-13-0274 03/19/2014</u>
4. Allegation(s) of discrimination: (For each allegation, state the date and the specific incident causing you to believe you have been discriminated against. FOR EXAMPLE: I was discriminated against on December 9, 2006, when I was not selected for the position of Accountant, under Vacancy Announcement YHMT-1-2006). Use additional pages as necessary.	
<p style="font-size: 1.2em;">ALL THE ALLEGATIONS ARE PAPERS MARK A ALL TYPE OUT</p>	
5. Have you discussed your complaint with an EEO Counselor? Yes <input checked="" type="checkbox"/> No _____ (If yes, name of Counselor):	
<u>MEGAN OCONNOR</u> <u>JOSIE WALLIN</u> ; Date on which you first contacted the EEO Counselor: <u>JOSIE WALLIN AUG 27, 2019</u>	
6. Are you agreeable to using the Alternative Dispute Resolution (ADR) process? <input checked="" type="checkbox"/> Yes <u>NOT SURE</u> No _____ (date) <u>10/10/19</u>	
7. Have you presented these allegations in any other forum? If so, please indicate:	
Negotiated Grievance Procedure _____ Merit Systems Protection Board _____ Court (Civil Action) if yes, date: _____	

8. List the remedies which you believe will resolve your complaint: (Use additional pages, as necessary.)

ALL REMEDIES ARE ON PAPERS MARK B
ALL PRINTED

9. Complainant's Signature:

Dave J. McCutcheon

Date:

OCT 6, 2019

10. For Agency Use:

iComplaints Agency Number: _____ Date Received: _____ Date Postmarked: _____

READ CAREFULLY! You may use this form to file a complaint. This form should be used if you, as an applicant for U.S. Department of the Interior (USDOI) employment or as a DOI employee, believe you have been discriminated against because of race, color, religion, sex, national origin, age, disability, or reprisal by the DOI. When filing a complaint, you should provide a statement of what occurred, when the incident(s) occurred, and why you believe you were treated in a discriminatory manner. Your complaint must bear an original signature.

COMPLAINTS PROCESSING INFORMATION

*Prior to filing a complaint, you must present the matter(s) that you believe are discriminatory to an EEO Counselor for informal resolution, within forty-five (45) calendar days from the date the incident occurred, or 45-calendar days from the effective date of a personnel action. The EEO Counselor has thirty (30) calendar days to attempt a resolution of the matter, and conduct a final interview with you. The EEO Counselor will notify you in writing of your right to file a formal complaint. You have fifteen (15) calendar days to file a formal complaint after receipt of the Notice of Final Interview (NOFI). The 15-day filing period may be waived if you show that you were not notified of the time limits for filing, or that you were prevented from meeting the time limits by circumstances beyond your control. Failure to file your complaint within the 15-calendar day period may result in the dismissal of your complaint.

*Your written complaint should be filed by you or your designated representative with the Equal Employment Opportunity Officer of the Bureau where the alleged discriminatory incident occurred, the Secretary of the Interior, or with the Director, Office of Civil Rights, U. S. Department of the Interior, 1849 C Street, N. W., MS-5230, MIB, Washington, D.C. 20240. If you choose to have a representative, you must designate the representative in writing, providing his/her full name and address.

*If your complaint is accepted for processing, the investigation should be completed within one hundred and eighty (180) calendar days from the filing date of your complaint. By written agreement, you and the Agency may extend the time period for no more than an additional ninety (90) calendar days. Following the investigation, the Agency will provide you a copy of the Report of Investigation (ROI). If the Agency fails to issue the ROI within 180-days of the filing date of your complaint, you may request a hearing.

Upon receipt of the ROI, you will have thirty (30) calendar days to request a hearing before an Administrative Judge (AJ) of the Equal Employment Opportunity Commission (EEOC), or to request an immediate final decision from the DOI.

SOME REMEDIES THAT WOULD RESOLVE MY COMPLAINT

#1 LET ME GO BACK TO ELLIS ISLAND AND GIVE THE CHILDREN AND INTERPRETIVE PROGRAMS. I NEED TO BE TREATED FAIRLY. LET ME DO MY JOB WITHOUT HARASSMENT. DONT TRY TO FORCE ME OUT BECAUSE OF BEING OVER 59 YEARS OF AGE. I AM PHYSICALLY AND MENTALLY HEALTHY, IN FACT I AM A MARATHON RUNNER AND WILDLAND FIRE FIGHTER, SO I NEED TO USE THE GYM AT ELLIS ISLAND AND RUN AT LIBERTY STATE PARK. NOTE THE NATIONAL PARK SERVICE SHOULD PROMOTE EMPLOYEE WELLNESS PROGRAM NOT HINDER IT. I WOULD LIKE TRAINING THAT WOULD ENHANCE MY WORK. IT WOULD BE OUTSTANDING IF THEY USED MY ABILITY CREATE ART FOR PROGRAMS INSTEAD OF HARASSING ME.

#2 IF THE MIDDLE MANAGEMENT FEELS PEOPLE OVER 59 YEARS OF AGE SHOULD NOT BE WORKING WITH CHILDREN AND GIVING INTERPRETIVE PROGRAMS THEN TRANSFER ME TO ANOTHER PARK.

#3 MR AMATO HAS DEMONSTRATED HE IS NOT CAPABLE OF BEING THE CHIEF OF INTERPRETATION HE DOES NOT HAVE THE NECESSARY ABILITY, QUALIFICATION, OR STRENGTH TO PERFORM THE JOB

INSTEAD OF TRYING TO RESOLVE A PROBLEM AT THE LOWEST LEVEL HE HAS ESCALATED IT TO THE HIGHEST LEVEL. HE HAS REFUSE TO COMMUNICATE WITH ME, AND HE IS ARROGANT. HE HAS CAUSE

MAJOR ANXIETY TO MY FAMILY AND I.
ALL OF THE ANXIETY FROM THE PARK HAS BROUGHT
BACK PAST ANXIETY FROM 9/11, 2001. HE HAS
BROKEN UNION POLICY ON LEAVE. HE DOES
WHATEVER HE WANTS AND THERE IS NO RE-
PERCUSSION TO HIM. I QUESTION WHY HE
WAS HIRED AS THE CHIEF OF INTERPRETATION.
HE SHOULD BE REMOVED AS CHIEF AND BE DEMOTED
TO PARK RANGER

* I DO HOPE EEO DOES SOMETHING TO CORRECT
THE SITUATION. HOWEVER FROM MY PAST EXPERIENCE
WITH NPS-13-0274 I DO PUT MUCH FATE IN
EEO DO ANYTHING HELP

A1

September 9th, 2019

To: Mrs. Megan O'Connor , NPS.gov

From: Dave McCutcheon, Senior Park Ranger at Statue of Liberty, NPS

Re: Statement of Complaints on Supervisory Management of Statue of Liberty, NPS

Dear Mrs. O'Connor,

Thank you for contacting me for the EEO compliant filing. I put together a narrative showing the timeline with some examples of harassment and discrimination actions towards me from the Supervisory Management in following:

1. I was sent to work at Liberty Island on November 28th, 2018 after I injured my foot on November 4th, 2018. I expressed my concern to Mr. Michael Amato (Chief of the Division) that working in the cold and outdoor environment could worsen my injury and I asked to allow me continuously work at Ellis Island including providing educational programs. The first day I arrived at Liberty Island on November 28th, 2018, I was threatened to be charged by AWOL from Susan McCoy (Supervisor) because I had to pick up my uniform from my locker at Ellis Island. I submitted my leave request for December 19 through December 28, 2018(see exhibit 1) in August 2018 to Mr. Peter Wong who was my direct supervisor at that time. In November 21, 2018, Ms.McCoy disapproved my leave about three months later shown on my earning statement AWOL(absent without leave pay)(see exhibit 2). These leaves include my schedule's doctor's visits. I also include the doctor's notes about my foot injury and treatment (Exhibit 2). I have been assigned the fixed post at 6P(pedestal level) much more frequent than any other staff all day where has no bathroom. I have to get permission to leave the post for bathroom, which restricts my water consumption and overall health condition. See examples of the schedules(exhibit 3)
2. In January 2019, Mrs. Seron filed false EEO complaints about harassment against me. She actually insulted me in front of public and visitors by saying "Go back to where you belong" while I was doing the closing procedures as I have been doing the same for about 29 years for the same post without any problems. Mrs. Seron was still under probation as a new permanent hire in January 2019. I didn't say anything to her in front of the visitors. She did not apologize to me what she commented about me in front of visitors, nor any supervisors have asked me about what had happened. I wasn't even aware of there was any issues from her. However, the Supervisory Management removed me from my duty station from Ellis Island to Liberty Island after I requested to stay at Ellis Island, especially due to the injury of my foot. Why

wasn't she being transferred to work at Liberty Island? This is an evidence of Supervisory Management organized harassment.

3. When finally the AWOL charge from Ms. McCoy from December 2018 was dismissed in February 2019 due to Union involvement, I was paid back the AWOL hours, however, Ms. McCoy stated, "This is not over yet, there will be disciplinary action". This is a threat through intimidation.
4. On March 20, 2019, Mr. Michael Shaver issued a memorandum to me (see exhibit 4) for the use of Ellis Island for employee fitness. I have been a certified firefighter for over 20 years at the Park through federal government certification and I have been required to maintain fitness. Therefore, I have been using the gym at Ellis Island for the fitness training for over 20 years without any problems and complaints. I have been running at Liberty State Park. My training doesn't interfere visitors for all these 20 plus years at this Park. I don't understand the reason Mr. Shaver issued this memorandum to me without any discussion with me. This is intimidation. As a note, Mr. Shaver was never been my supervisor. He was transferred from Governor's Island a few years ago. He was Mrs. Seron's supervisor at Governor's Island.
5. On April 4th, 2019 after Regional Employee Relations Office "RERO" dismissed Mrs. Seron's complaint on me, the Supervisory Management of the Park still wouldn't allow me return my duty station at Ellis Island. Mr. Shaver issued a "No contact" Order refer to exhibit 5. I responded to Mr. Shaver's letter on April 7th, 2019 in exhibit 6. In my response, I asked Mr. Shaver who was representing the Park Supervisory Management why I was still not allowed to return to my duty station at Ellis Island to continuously provide educational program and let Mrs. Seron to work at Liberty Island. I have created many educational programs at the Ellis Island for over 29 years with many outstanding achievements. I created this coloring page used by National Park Week awareness at the Park in April 2019 at Liberty Island, I was not given the project time that other people were (exhibit 7).
6. On April 28, 2019, I wrote letter to Mrs. Cherie Butler, Assistant Superintendent of the Park, (exhibit 8), I asked the same questions why I was still not allowed to return to my duty station at Ellis Island to continuously provide educational program and let Mrs. Seron to work at Liberty Island.
7. On August 3, 2019(exhibit 9), I wrote letter to Mr. John Piltzecker, Superintendent and Mrs. Cherie Butler, Assistant Superintendent , of the Statue of Liberty/Ellis Island. I expressed concerns about the continuously harassments and discriminations towards me from the Supervisory Management. I was continuously not allowed to return my duty station at Ellis Island. Subsequently, I provided an EEO testimony to Mr. Chu on August 13, 2019, I was intimated and threatened by the Supervisory Management

the next day including filming me in and out of Park Service. I expressed my concern and requested the Superintendent to assist a transferring me to other parks in a letter dated on August 26, 2019 (exhibit 10)

Regards,

Dave McCutcheon

A1. Ex 9

August 26, 2019

To: Mr. John Piltzecker, Superintendent, Statue of Liberty/Ellis Island;

Cc: Michael Callahan, Cindy VanDerwerker of Union Representative of National Park Service;

Cherie Butler, Assistant Superintendent, Statue of Liberty/Ellis Island

Michael Shaver, Supervisor of Ellis Island

Dear Mr. Piltzecker,

After I sent you directly my concerns about the Park Supervisory Management's continuous harassment towards me on August 3, 2019, and subsequently after I provided a testimony for Mr. Anthony Chu to the Regional Equal Opportunity "EO" investigator on August 13, 2019, the Park Supervisory Management became extreme. Their harassment and reprisal against me are making me and my family feeling unsafe. Obviously, I'm not protected by the privacy law/whistleblower for giving testimony. I am harassed by the organized retaliation from this Park's Supervisory Management. I am asking for your help to facilitate and transfer me to Manhattan site in NYC. Meanwhile, I have no other choice but to file an official complaint to the Regional EO Office on the Park Supervisory Management for their organized reprisal towards me. Their actions against me are explained briefly in following for your reference.

On August 14, 2019, the day after I provided testimony for Mr. Chu, Mr. Shaver asked me for a meeting. On August 20, 2019, Mr. Michael Callahan of the Union Representative and I met with Mr. Shaver who was on behalf of the Park Management. Mr. Shaver proposed disciplinary actions and provided two recorded videos.

The first video shows that I bumped into a passenger's backpack on the crowded Liberty Cruise boat on the way home in April 2019. The passenger turned his head and looked at me while I passed by and walked away. Mr. Shaver said someone from our park service who was taking the same boat filed complaint on this towards me, but Mr. Shaver wouldn't reveal what the complaint was about and when this complaint was being filed. I am not aware of any complaint neither from this passenger nor from the boat crew/police. This is the first time I heard from Mr. Shaver. I recognized from this video's background the person who filed complaint against Mr. Chu. This is not a coincident that one day after I provided testimony to Mr. Chu, the person who filed complaint to Mr. Chu was in the video that was used to file complaint against me. Who is the person from the Park service made this video? I was told from another staff that someone in our Park service stated she will do anything to help the Supervisory Management to get me fired which is in return for the favoritism. It's not surprised that this is an organized Supervisory Management Act-on video for this motive. It is abusing the EO compliant system. That Mr. Shaver brought this up in the meeting and warned me for disciplinary action without a full disclosure of this incident is an evidence of harassment, intimidation and a threat to my life outside the Park

while on the boat to home. This is actually the second warning from Mr. Shaver showing I was being watched outside the Park. Mr. Shaver 's first warning for my time and life outside the Park was in his letter dated April 4, 2019 in paragraph 14, stating no contact to Mrs. Seron in "traveling in MTA buses and subways". In the same letter, it also stated I am not allowed on Ellis Island on "a non-official or personal need" "unless permitted by the Park Supervisor or the Chief of Interpretation" in paragraph 9.

The second video shows that I was on 3:25pm boat home on June 6, 2019. Mr. Shaver stated I left duty for the earlier boat home. This is a false accusation because the supervisor released me that day to get on the 3:25pm boat to be able to get to NYC at around 4:05pm-4:10pm at normal duty end time. Mr. Shaver needs to disclose who filed this complaint and made this video, and whether or not this complaint has being verified by the supervisor. Can Mr. Shaver provide a video showing other rangers, administrative and museum staff who were on the same boat at the same time to NYC which the boat land in NYC was at around 4:10pm?

Mr. Shaver demonstrated these two videos. Are these videos being recorded by other park staff to watch my life? Or are the videos provided from the Liberty Cruise to allow Park watch Park staff? If the videos were recorded from Park Staff, it is obviously someone from the Park staff followed the supervisory act-on instruction to film me for the supervisory management. This is an evidence of harassment, intimidation and threat to my personal life in and outside the Park.

Mr. Piltzecker , again from these escalated threats, intimidation and harassments of the Park Supervisory Management towards me, especially using videos taping me in and outside the Park, I have no safety protection as a result of providing Mr. Chu's testimony. It doesn't seem it would be any protection to anyone who would provide a testimony on complaints on Park Management in this Park. This is a very hostile working environment. Therefore, I ask for your help again to transfer me to Manhattan site so to avoid further organized retaliation, threats and harassments from this Park's Supervisory Management.

Regards,

Dave McCutcheon

meeting on Tuesday

From: dave mccutcheon (daveart06@yahoo.com)

To: sarahehager@gmail.com; michael_callahan@nps.gov; cindy_vanderwerker@nps.gov; mike_shaver@nps.gov

Date: Friday, August 16, 2019, 03:47 PM EDT

Dear Mr Shaver, On August 14th at or around 3.25 pm you approached me about having a meeting. I talked to mr Callahan, he could come over Tuesday after 2pm. My questions are (1) Why are we having this meeting ? (2) Who will be at this Meeting ? (3) I feel this is a reprisal is it ? (4) What happen to the Mediation ? (5) Why hasn't Mr Micheal Amato met with me ? thank you Dave McCutcheon

Al

Anthony Chu
v.
National Park Service
CASE NO. NPS-19-0357

STATEMENT OF DAVE MCCUTCHEON
WITNESS

On August 13, 2019, I was interviewed by the designated EEO Investigator, Sarah Hager. Ms. Hager explained to me that she was investigating allegations made by the Complainant, Anthony Chu, as follows:

Whether the Complainant was discriminated against based on age (DOB; 08/06/1976); sex (male); race (Asian/Pacific Islander); color (fair skinned); physical disability when:

- 1) In March 2018, the supervisor put the complainant on leave restriction for 120 days for excessively calling in sick;
- 2) On July 25, 2018, he was disciplined for leaving his post and given a letter of proposed suspension;
- 3) On January 5, 2019, a co-worker implied that the complainant was referring to his anatomy when he offered the co-worker a yellow Starburst candy;
- 4) On April 2, 2019, the Supervisor issued the complainant a suspension for two (2) days without pay for not following protocol;
- 5) In early 2017 through April 2019, the Supervisor and the Chief of Interpretation have proposed disciplinary action against the Complainant for his time and attendance and cell phone usage; and,
- 6) The Complainant alleges discrimination based on his age because he is the only employee over the age of 40 and the other employees fall under the age range of 21-39 years.

The following represents a true and accurate summary/statement of the information that I provided to Ms. Hager:

1. Please state your position title, series and grade and organizational unit.

Dave McCutcheon
Park Ranger, Statue of Liberty/Ellis Island
GS9 step 10
Interpretation, Education and Visitor Services

2. Please state the sex by which you identify.

I am a male.

3. How long have you held your present position (please provide dates)?

JULY 15, 1990 OVER 29 YEARS

D.J.M.^c initials

I've been a GS9 for over 20 years. I've been at the same location for the entire service. I've had some special details but the bulk of the time here.

4. How long have you worked for the National Parks Service?

I've been with the park service for 29 years.

5. During the time period relevant to the complaint who were your first- and second-line supervisors?

First line supervisor – Suzanne McCoy

Second line supervisor – Mike Amato

6. Do you know Complainant, Anthony Chu?

~~Yes. I've known him since the day he started working here. He's very nice to work with; he's very responsible with his work.~~

7. During the time period relevant to the complaint what was your organizational relationship to Complainant?

CO WORKER

~~I've been his friend for all these years and in some instances, we were co-workers, but often we've been at different sites in the park.~~

8. Are you aware of Complainant's sex?

~~Yes, I'm aware of his sex, and that it has a couple things to do with harassment on the job and with his supervisors here.~~

- a. If yes, when and how did you become aware?

FOR OVER 20 YEARS FROM SEEING HIM AND KNOWING
It's obvious from seeing him and talking to him. him

9. Do you have knowledge Complainant's allegation that he has been subjected to harassment based on sex?

~~Yes. He told me some of the problems he encountered with supervisors and co-workers and asked my advice on how to deal with these situations.~~

He talked about Ms. McCoy giving him a lot of problems at work and trying to get him suspended, causing aggravation. ~~And the Chief of the division having problems and passing it on to the supervisor and having it seem it's Ms. McCoy and not him behind it, even though he has to sign off on it. He's trying to make it seem like it's her actions, not his.~~

Personally, I was working on Ellis Island during the relevant time period that these events took place at Liberty.

10. Have there been any instances where you feel you were harassed by Supervisory Park Ranger McCoy based on sex?

Yes, Ms. McCoy has harassed me many times in multiple occasions since November 2018 when she became my supervisor but I am not sure what was the true motive behind her. It could be based on Sex or Age or she might be directed from her supervisor, Mr. Michael Amato who is Chief of the Division. For examples:

1. She threaten me for suspension (put on A-wall) the first day I was assigned to work for her at the Liberty Island when I had to go to Ellis Island to pick up my uniforms.
2. She denied my leave for Christmas week of 2018, which was submitted in writing in August 2018 about 5 months ahead to my previous supervisor, Mr. Wong.

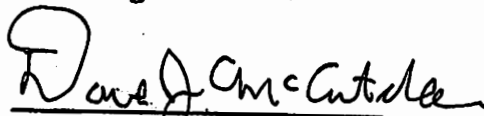
11. Is there anything you would like to add?

On August 13(Tuesday), 2019 the day when I had the phone call with you for Mr. Chou's testimony. I met with Ms. Flor Blum after work around 5:30pm. She was a ranger at the Liberty Island and now working at National Park Site, Steam Town, PA. She told me that she was acted on by Ms. McCoy to put compliant against Mr. Chou. I had reported this to my Union Representative, Mr. Callahan.

On August 14 (Wednesday), 2019 the day after I spoke to you on Mr. Chou's testimony, I was called by Supervisor, Mr. Shaver for meeting. Why does the Park Supervisor or Management need to know I gave the testimony for Mr. Chou? Is there any policy for the protection of the witness? My family and I don't feel safe without any protection of reprisal. I have spoken this concern to my Union Representative, Mr. Callahan.

OATH

I have read the above statement/affidavit, consisting of 3 pages, and being duly informed, and understanding of the penalties for perjury; duly swear under oath that the statements made in this affidavit are true and correct, and complete, to the best of my knowledge.


Dave McCutcheon

08, 16, 19
Date

Chu EEO matter NPS-19-0357

From: dave mccutcheon [REDACTED]

Cc: [REDACTED]

Date: Monday, August 12, 2019, 10:32 PM EDT

A I

Hi Ms. Hager,

As we had confirmed, I will give you a call tomorrow(8/13/2019) to testify for Mr.Chu from my Park(Status Liberty/Ellis Island). I understand Mr.Chu's complaint. Actually, I am also discriminated by the management of this Park due to age, unfair labor practice, all sorts of retaliations towards me. I here attach a copy of my complaint sent to the Senior Management of the Park last week and it still goes nowhere. As you can see without my further testimony for Mr. Chu, the Park Supervisory Management seems having their unwritten plan to force senior rangers in term of age and service time to quite the job, retire earlier, or get sick, or transfer to somewhere else to replace them by young and new hires. The Park Supervisory Management's unfair labor practice doesn't seem bothering the Senior Management at all. As you can see, I sent to the Assistant Superintendent a request for response in April this year, It goes over three months without any action. So had to send a request again to the Assistant Superintendent and also to the Superintendent. I wonder these Supervisory Management's abusive behavior towards the senior ranger has being encouraged by the Senior Management, at least at the Assistant Superintendent level.

I am planning to also file an age discrimination and retaliation complaint on the Park Management, again as you can see I have been abused by the supervisory management for so long without a hope for a proper resolution.

Best Regards,

Dave McCutcheon

From: Sarah Hager [REDACTED]

Date: Thu, Aug 8, 2019 at 12:25 PM

Subject: Re: [EXTERNAL] Request to interview - Chu EEO matter NPS-19-0357

To: McCutcheon, Dave <dave_mccutcheon@nps.gov>

Thank you Mr. McCutcheon. That date and time works for me. I can be reached at 760-964-5752.

Sarah

On Thu, Aug 8, 2019, 12:13 PM McCutcheon, Dave <dave_mccutcheon@nps.gov> wrote:

Dear Sarah, I was just told it would be best to talk with you 08/13/19 at 2 pm. thanks Dave McCutcheon

On Thu, Aug 8, 2019 at 12:07 PM McCutcheon, Dave <dave_mccutcheon@nps.gov> wrote:

Dear Sarah Hager, I can talk with you 08/12/19 or 08/13/19 after 12pm. what number do you want me to call ? Thanks Dave McCutcheon [REDACTED] (917)929-3609

On Thu, Aug 8, 2019 at 12:51 AM Sarah Hager <sarahehager@gmail.com> wrote:

Good evening Mr. McCutcheon -

Please see the below email and please let me know when you are available next week to speak.

Thank you

Request a timely response from Park Management of Statue of Liberty/Ellis Island

A 1

From: dave mccutcheon [REDACTED]

To: john_piltzecker@nps.gov; cherie_butler@nps.gov

Cc: michael_callahan@nps.gov; cindy_vanderwerker@nps.gov; michael_amato@nps.gov; suzanne_mccoy@nps.gov; mike_shaver@nps.gov

Date: Monday, August 5, 2019, 07:47 AM EDT

Dear Mr. Piltzecker and Mrs. Butler,

The Park Supervisory Management has continuously treat me unfarily as a part of retaliation and age discrimination. I hope that the Park Senior Management can consider my requests and concerns in a timely manner for a fair resolution without biased and arrogant attitude like the Park Supervisory Management towards me. The attached is a copy of my written requests and concerns.

Regards,

Dave McCutcheon



Request a response from the Park Management fr DM Aug 3 2019.pdf
45.2kB

Al Ex 9

August 3, 2019

To: Mr. John Piltzecker, Superintendent, Statue of Liberty/Ellis Island;

Mrs. Cherie Butler, Assistant Superintendent, Statue of Liberty/Ellis Island

Cc: Michael Callahan, Cindy VanDerwerker of Union Representative of National Park Service;

Michael Amato, Suzanne McCoy, Michael Shaver of Supervisory Management at the Statue of Liberty/Ellis Island

From: Dave McCutcheon, Senior Park Ranger of Statue of Liberty/Ellis Island

Re: Request a response from Park Management of Statue of Liberty/Ellis Island

Dear Mr. Piltzecker and Mrs. Butler,

The Park Supervisory Management had removed me from Ellis Island since January 2019 due to Mrs. Sheron's false claim filed against me as harassment to her. Her claim has been concluded as not found on April 4th, 2019 from Regional Employee Relations Office "RERO" of Department of the Interior of National Park Service. The Park Supervisory Management then issued a "No Contact Instruction" to Mrs. Sheron and me on April 7th, 2019, but continuously ban me to my duty station at Ellis Island. The last request that I sent to Mrs. Butler was on April 28, 2019 to request for a justification on what I have been mistreated by the Supervisory Management at the Park and requested to be assigned back to my duty station for educational program at the Ellis Island. As of today, I haven't been given a consideration to my request, but was continuously treated unfairly by the Park Supervisory Management given some examples in following:

1. Mrs. Sheron was a seasonal employee then, now the Park Management made her a permanent position, why can't the Park Supervisory Management assign her to work at Liberty Island and to allow me resume to my duty station at Ellis Island so that I can continuously perform my senior educational ranger duties, such as, providing the educational program that I have developed and provided during the course over 25 year period. I am the most senior permanent ranger in service time and in age at this Park about 30 years.
2. The Park management just made two seasonal rangers at age in twenties to the permanent educational technical ranger position working at Ellis Island. The positions were not made at the competitive selection. I was not given any notice for the position opening and any consideration although I had developed and have given these educational programs for over 25 years with many outstanding achievements.
3. I haven't been scheduled for any night events at Ellis Island for extra income since January 2019 when the Park Supervisory Management removed me from Ellis Island, but other rangers were given the opportunities.

4. I was assigned the posts and was treated unfairly at the Liberty Island due to the retaliation from the Supervisory Management of the Park. For examples:

- i. The post was assigned to me inside the monument at the Crown level and Pedestal level where has no bathroom and no air conditioner for duration of 4 hours of the 8 hours everyday. The supervisor instruction was that I can't leave the post for any reason unless the supervisor decides to release me. I was exposed high level of heat at over 100 Fahrenheit degree sometimes, and wasn't able to drink any water because there was no bathroom and has to wait for supervisory decision to release the post, otherwise, I will be treated as abandonment of my post for disciplinary action. The Park Supervisory Management allows young and new permanent hire rangers to stay at Ellis Island, but assign older age and senior rangers to expose the heat and stay in restricted areas for usage of water and bathroom for duration of 4 hours a day everyday. This is an unfair labor practice for age discrimination, that the Park Supervisory Management intentionally let senior rangers in term of service time and age to be exposed in such hazard environmental conditions and their restricted schedules arrangement and instructions, so that these senior rangers can easily get sick due to the age. One day I felt sick from the heat and just sat down inside the office area for a breath, but I was still asked by the supervisory to go outside in the heat to help the Statue Cruise dockhands, which is handled by themselves all the time and not a critical Park post at all. The Supervisory Management has no consideration to staff health and safety. They have arrogant attitude. They make unfair and inconsiderate schedules to me and other senior staff at the Liberty.
- ii. The Museum and Administrative staffs are allowed to leave for 3:25pm boat schedule, which get to the City at about 4:05pm of their duty end time. I was required to stay till 3:45pm, which get me back to the City at 4:30pm, which is 30 minutes over my duty end time at 4:00pm without being compensated. I request the Park Supervisory Management to release my duty for the boat schedule at 3:25pm or compensate me 30 minutes everyday. I am requesting an equal treatment as to people relying on the boat schedule to the City.
- iii. I have been requesting many times since March 2019 to have a meeting with Mr. Amato to address these concerns for a fair resolution. The requests have been communicated to him via phone voice message and supervisors, but as of today, Mr. Amato has not responded to my request.

I sincerely hope that the Park Management can consider my request and concerns for a fair resolution timely, through mediation with the Union Representatives and the Regional Employee Relations Office "RERO" of Department of the Interior of National Park Service.

Regards,

Dave McCutcheon

Al Ex 8

April 28th, 2019

To: Mrs. Cherie Butler, Assistant Superintendent, Statue of Liberty/Ellis Island

From: Dave McCutcheon, Senior Park Ranger

Re: Response request to the Park Management for Mr. Shaver's letter dated April 4th, 2019 on memorandum subject " No Contact Instruction".

Mrs. Butler,

In reference to my response letter to Mr. Shaver dated on April 7, 2019 in the attachment, the Union representative and I are still waiting for a Park Management action response. In addition to our request, I wanted to mention I haven't been scheduled for any night events at Ellis Island since Mrs. Sheron filed her false claim in January 2019. Why should I be continuously treated unfairly from the park management? When should I be able to resume my duty station at Ellis Island?

Regards,

Dave McCutcheon

A1 Ex 6

April 7th, 2019

To: Mr. Michael B. Shaver, Supervisor Park Ranger, Statue of Liberty/Ellis Island

From: Dave McCutcheon, Senior Park Ranger

Re: Response to Mr. Shaver's memorandum subject " No Contact Instruction", dated on April 4, 2019

Mr. Shaver,

Your letter dated on April 4, 2019 on the subject " No Contact Instruction" includes 17 paragraphs within three pages. The Paragraph 1 to 3 summarized the result of 16E investigation conclusion from the Regional Employee Relations Office "RERO" as no harassment issue being found on me towards Mrs. Sheron. Basically Mrs. Sheron filed a false claim on me, which has been escalated by the Park supervisor to the "RERO" since January 2019. Out of the 17 paragraphs, Mr. Shaver wrote 14 paragraphs of instructions on "No Contact". The instructions even include the possible scenarios in and/or outside the work time and places and involved many parties to follow.

The Park supervisor has already removed me from my normal duty station at Ellis Island since January 2019 to cooperate with the investigation from RERO. I had no contact since then with Mrs. Sheron who was instead asked to remain at the Ellis Island by the park supervisor.

Mrs. Sheron has worked with the Park for only one year at GS grade level 7 and is still under the probation period. She has other complaints filed against her from staff. Why wouldn't the Park terminate her temporary employment based on her false claim against me and complaints filed against her from other staff? I have been designing and conducting educational programs at Ellis Island over the decades at a senior GS level and have been working at the Park over 28 years. I am also a certified firefighter and an active first medical responder. My permanent lockers that are stationed at the Ellis Island have these special equipments, uniforms and educational program supplies etc. I am required to maintain fitness for these special active duties and I have been participating active fitness training at Ellis Island outside program hours over 28 years. Wouldn't it be reasonable to reassign Mrs. Sheron to Liberty Island and keep my duty station at Ellis Island so to avoid contact? Why am I being warned outside work time and work place (refer to paragraph 14- "traveling in MTA buses and subways"). Why am I being banned from Ellis Island and Liberty Island on "a non-official or personal need" unless it is permitted by the Park supervisor or the Chief of Interpretation(refer to paragraph 9)? Why would the supervisor decide to continuously allow a hostile working environment to waste

and abuse government time, funds and policies to encourage favoritism towards Mrs. Sheron?

Regards,

Dave McCutcheon

A1 EX 5

**United States Department of the Interior****NATIONAL PARK SERVICE**

Statue of Liberty National Monument
Ellis Island National Museum of Immigration
1 Liberty Island
New York, New York 10004-1418

IN REPLY REFER TO:

April 4, 2019

Memorandum

To: Distribution List

From: Michael B. Shaver
Supervisory Park Ranger, Statue of Liberty / Ellis Island

Subject: No Contact Instruction

As the regional employee relations office may have informed you, the recent Director's Order 16 E harassment complaints filed by you and against you were closed by the Department of the Interior Solicitor's office.

In that closure the park was instructed to conduct an investigation "to determine whether there was any inappropriate conduct and whether discipline is necessary for the individuals involved... investigate this as would any incident to see if there is any misconduct and disciplinary action is warranted." As directed, park staff will begin that process this week.

At this point, while the 16 E action has concluded, the matter is still on the table, not as a harassment issue, but as a possibly misconduct issue and a process continues. The temporary reassignment for the parties involved on separate islands continues and to provide greater clarity until this process concludes, the park is issuing a "No Contact Instruction" between the two parties.

This "No Contact Instruction" is a simple statement that there be positive attempts and all attempts to avoid encountering the other party without prior notice to, arrangements made and authorization issued by division supervisors.

This "Instruction" is intended to avoid and not aggravate nor complicate any issues related to the ongoing investigation.

This "Instruction" is to avoid any perceptions or misperceptions of intimidation or retaliation.

This "Instruction" is to communicate to both parties that any unintentional, accidental or intentional contact with the other party could become the cause of a separate investigation to determine possible misconduct.

This "Instruction" is to communicate to both parties they need not and should not interpretations on this "Instruction." You are directed to ask a supervisor if you anticipate or find yourself in a situation where this "Instruction" might be tested or encountered in a manner not covered below.

- This directive concerns about going to, visiting or being on an island that is not your current assigned work location. It must be adhered to as stated.

Should have a non-official or personal need to go to Liberty or Ellis Island, whichever island is not your assigned duty location, permission must be requested and written permission granted by your current island operational supervisors, OR on single supervisor days, that supervisor OR the chief of interpretation. The purpose is to avoid putting either party in unintentional or accidental violation of the "No Contact Instruction."

If one or the other of the parties is not working that day, permission is still required in case sudden schedule changes have other party present on the other island on their lieu day. All discretion rests with the park, its management, and supervisors.

- This directive concerns the conduct of assigned or related official duties if you are going to, visiting or being on an island that is not your current assigned work location. It must be adhered to as stated.

Should there be an official need for a person to be on an island other than their assigned work location, supervisors from both islands will make arrangements and provide you written instruction and authorization on when, how and where to travel while on the other island. Any discretion on how this is accomplished rests with the wholly with park, its management, and supervisors.

- This directive is about the conduct while traveling to and from assigned workplaces to and from Manhattan.

Since the park is located on islands and transportation is via ferry, there may be RARE occasions where both parties are having to travel on the same boat at the same time. Be mindful that a majority of other national park locations do not have multiple worksites, islands, or shifts and may have only one facility, so separation may not be possible and hence the need for a "No Contact Order" that can and does work.

In regard to your matter, supervisors are careful in scheduling work and work assignments, so passage on the same ferry should not happen. We urge both parties not to inadvertently frustrate those efforts.

In the rare occasions that the parties may need to travel on the same ferry, be mindful that it is possible to be civil, mature adults and thoughtfully approach ferry travel, employing much of the same skill set used in traveling crowded MTA buses and subways. The boats have seating for more than a hundred passengers and the capacity for several hundred visitors. The ferries generally have multiple decks. The ferries have

indoor and outdoor seating on opposite sides. Most ferry runs carry numerous passengers and conversations can be held with any number of people, iPhones read, or music listened to with earphones with little need to engage with the other party.

It is not the park's intention to list rules and behaviors to be observed when both parties may be riding the same ferry. With the assumption that all parties are adults and have a high degree of professional maturity, it would be in the best interests of ALL concerned not to have to do that.

Park managers and supervisors are serious in the implementation of this "Instruction." We want to manage and avoid unintentional or accidental contact or encounters with the other party. It is not intended to be long in duration, and your efforts to abide by them is greatly appreciated as we bring this matter to a prompt resolution.

Should you have questions or need for more information, you may contact Supervisory Park Ranger Michael Shaver.



Distribution:

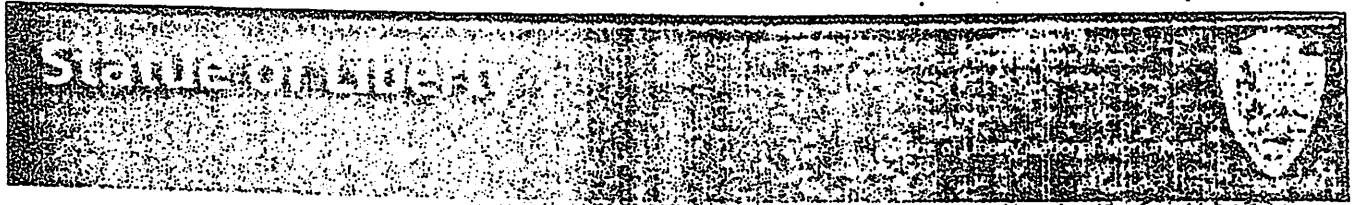
Parties to the "Instruction" (2)

cc:

Michael Amato, Chief - Interpretation and Visitor Services
Supervisory Park Rangers, Statue of Liberty (2)
Supervisory Park Rangers, Ellis Island (2)

(5)

A1 EX7



DAVE McCUTCHEON 19

Search your mailbox dave mccutcheon Account Info Go Sign Out Home

Sent Contacts Notepad Calendar

Compose

Inbox 999+
Drafts 173
Sent
Archive
Spam
Trash

Folders Edit Hide
+ New folder
Drafts
Lady Lib 2
roof
untitled

Delete Actions Apply

WebstaurantSt Save Big On Restaurants
Scan from Liberty Interp

Apr 25 at 9:27 PM
Print Raw message

dave mccutcheon
To:
Michael Callahan <michael_callahan@nps.gov>,
Cindy VanDerwerker <cindy_vanderwerker@nps.gov>,
dave mccutcheon
Suzanne Mc Coy <suzanne_mccoy@nps.gov>,
Michael Amato <michael_amato@nps.gov>

1 File | 325.1kB
PDF 325kB
image2019 0...
Download

For National Park week I Created This illustration to promote a healthy life style. Since I wasn't given the time I needed to work on the Art. It was done at home. It's evident at the Statue of Liberty NM certain people are given project time. While others over 50 years of age are not. The Question is this favoritism or discrimination ?

----- Forwarded Message -----
From: dave mccutcheon
To: dave mccutcheon <dave_mccutcheon@nps.gov>
Sent: Wednesday, April 24, 2019, 8:17:38 PM CDT
Subject: Fw: Scan from Liberty Interp

----- Forwarded Message -----
From: [REDACTED]
To: [REDACTED]
Sent: Tuesday, April 23, 2019, 2:04:50 PM CDT
Subject: Scan from Liberty Interp

Delete Actions Apply

ROSEWE

THE GREAT BRITISH BAKING SHOW
WATCH NOW
PBS living prime video CHANNELS
Subscription required

A1 Ex 3

Friday, March 5, 2019

Liberty Island Interpretation Schedule

Activity/Location/Station	8:00-9:00	9:00-10:00	10:00-11:00	11:00-12:00	12:00-1:00	1:00-2:00	2:00-3:00	3:00-4:00	4:00-5:00
*Crown	B F	B F	HK	IL	IL	JG	JG		
*6P Podium	DE	DC	CD	JK	DB	DE	HL		
*Elevator 6P Lift	H	J	L	G	F	B	I		
Balcony/Museum Rove (*=+6P Rove)							(D)		
Lobby Greeter		H	F				(C)		
Screening & CC (=master key)	C* G	KE*	BJ*	FH*	K*E	CH*	(B)F*		
Flagpole Tour		L	E						
*Info Center	A	A	A	C	A	A	(A)K		
Exterior Rove									
Dock/Ferry Line Rove		L	E				(E)		
To Ellis									
Collateral/Project/Training		IG	GI						
Lunch				ABDE	CGHJ	FIKL			

** No Swapping Posts without Prior Supervisory Approval **

Name	In	Radio	Collateral Duty/ Project/Training	Duty/Relief/Calling Supervisor
A Janice	<input checked="" type="checkbox"/>	454		
B Reneel	<input checked="" type="checkbox"/>	450		
C Pheana	<input checked="" type="checkbox"/>	446		
D Dave	<input checked="" type="checkbox"/>	419		
E Ed	<input checked="" type="checkbox"/>	424		
F Vaughn L3 1 hr OT	<input checked="" type="checkbox"/>	444	Lead 9 2:50-Close	
G Alex L3 1 Hr CTE	<input checked="" type="checkbox"/>	411	L&F Prep Donations January	
H Bryanna L3 1 Hr CTE	<input checked="" type="checkbox"/>	426		
I Brando	<input checked="" type="checkbox"/>	411	L&F Prep Donations January	
J Jesse	<input checked="" type="checkbox"/>	444		
K Rob	<input checked="" type="checkbox"/>	427		
L Zeb	<input checked="" type="checkbox"/>	440		
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			
	<input type="checkbox"/>			

Wednesday, Sept 4, 2019 v3

Liberty Island Interpretation Schedule

Visitor Engagement Station	8:00-9:00 A50	9:00-10:00 B50	10:00-11:00 C50	11:00-12:00 D50	12:00-1:00 E50	1:00-2:00 F50	2:00-3:00 G50	3:00-4:00 H50
*Crown	BG	BG	DK	DK	HL	HP	JN	JN
*6P Podium	AD	HD	BP	LQ	IO	JR	ST	MS
*Elevator 5P Lift	H	K	L	O	G	I	M	T
Pedestal Loop Rove								
Lobby Greeter								
*Screening	E	C	A	R	S	T	Q(B)	O
Museum Welcomer	K		C	P		N	(C)	Q
*Theater Line/Museum	J	E	M	T	C	B	L	P
*Torch Gallery	F	J	I	M	A	C	O	L
Museum Rove								
*Info Center	I	A	T	J	M	A	R(A)	K
Flagpole Tour		F	S	N	B	D	K	R
Dock/Ferry Line Rove	C	I		S	K	F		
Island Rove								
Ellis-								
Project		NOQRS	EFGHJN OQR		F	GQ	P (DFGHI)	
Lunch				ABC FGHI	DJN PQRT	KLMOS		

Name	In	#	Collection duty/ Project training	Name	In	#	Collection duty/ Project training
A Pheona	<input checked="" type="checkbox"/>	446		M Jesse	<input checked="" type="checkbox"/>	431	
B Jim	<input checked="" type="checkbox"/>	413		N Reneel	<input checked="" type="checkbox"/>	450	
C Lee	<input checked="" type="checkbox"/>	432		O Chris Closing lead	<input checked="" type="checkbox"/>	427	CMS
D Dave M	<input checked="" type="checkbox"/>	419		P Vaughn	<input checked="" type="checkbox"/>	444	
E Ed	<input type="checkbox"/>	424	Leave at Noon	Q Alex	<input checked="" type="checkbox"/>	411	
F Dennis	<input checked="" type="checkbox"/>	420	Facebook	R Bryanna	<input checked="" type="checkbox"/>	426	
G Kathleen	<input checked="" type="checkbox"/>	437	CMS	S Kelsey	<input type="checkbox"/>	426	
H Ian	<input checked="" type="checkbox"/>	465		T Zeb	<input type="checkbox"/>	440	
I Chuck	<input checked="" type="checkbox"/>	463			<input type="checkbox"/>		
J William L3	<input checked="" type="checkbox"/>	443			<input type="checkbox"/>		
K Jeff Stein L3	<input checked="" type="checkbox"/>	475			<input type="checkbox"/>		
L Brando	<input checked="" type="checkbox"/>	425			<input type="checkbox"/>		

New Announcements & REMINDERS::

- 5P-6P lift is out of service until further notice (part ordered)
- Wheelchairs: one ID for one wheelchair
- Work near monument entrance: setting pavers

Running

From: dave mccutcheon [REDACTED]

To: mike_amato@nps.gov; michael_callahan@nps.gov; cindy_vanderwerker@nps.gov; [REDACTED]
suzanne_mccoy@nps.gov

Date: Wednesday, March 27, 2019, 10:43 AM EDT

Dear Michael Amato Chief Of Interpretation, Statue Of Liberty NM, On March 20,2019 I received a memorandum about not running in the building until after 5pm. Be advised I do not run in the Building , I run in Liberty State Park NJ. In my 28+ years I have never run in the building during work hours. I find the accusations as a form of on going Harassment. Do you feel the need to fabricate a story ? At this time I like to know who made the accusations. thank You Dave McCutcheon

AI Ex 4



United States Department of the Interior

NATIONAL PARK SERVICE
Statue of Liberty National Monument
Ellis Island National Museum of Immigration
1 Liberty Island
New York, New York 10004-1418

IN REPLY REFER TO:

March 20, 2019

Memorandum

To: Michael Amato,
Chief of Interpretation, Statue of Liberty

Peter Wong, Sue McCoy, Melissa Magnuson-Canady
Supervisory Park Rangers, Statue of Liberty

Dave McCutcheon,
Park Ranger, Statue of Liberty

From: Michael Shaver
Supervisory Park Ranger, Statue of Liberty

Subject: Use of Ellis Island for employee fitness

This is an interim directive on the use of interior public spaces for running and physical fitness activities at Ellis Island.

While the NPS is supportive in employee health programs, the particular usage of the public interior spaces of Ellis Island has raised questions from staff and US Park Police as to its appropriateness and timing of use, and agency risk management practices related to its use.

As such is being resolved, the current directive on allowing usage is to not permit before 5 PM or with the clearance of the public from and closure of the first floor of Ellis Island Main Immigration by US Park Police – whichever occurs later.

Please use this memo to provide and guide your determination for employee use of Ellis Island for the subject purpose.

Request for Leave or Approved Absence

GC

1. Name (Last, first, middle) McCutcheon, Dave, J		2. Pay Period# 12-27	
3. Organization NPS DOI/NPS/STLI/Interpretation-Education & Visitor Services			
4. Type of Leave/Absence (Check appropriate box(es) below)	Date		Total Hours
	From	To	
<input checked="" type="checkbox"/> Accrued Annual Leave	12/19	12/21	24
<input type="checkbox"/> Restored Annual Leave			
<input type="checkbox"/> Advanced Annual Leave			
<input type="checkbox"/> Accrued Sick Leave			
<input type="checkbox"/> Advanced Sick Leave			
Purpose: <input type="checkbox"/> Illness/injury/incapacitation of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other			
<input type="checkbox"/> Compensatory Time Off			
<input type="checkbox"/> Other Paid Absence (Specify in Remarks)			
<input type="checkbox"/> Leave Without Pay			
5. Family and Medical Leave If annual leave, sick leave, or leave without pay will be used under the Family and Medical Leave Act of 1993, please provide the following information: <input type="checkbox"/> I hereby invoke my entitlement to Family and Medical Leave for: <input type="checkbox"/> Birth/Adoption/Foster Care <input type="checkbox"/> Serious health condition of spouse, son, daughter, or parent <input type="checkbox"/> Serious health condition of self Contact your supervisor and/or your personnel office to obtain additional information about your entitlements and responsibilities under the Family and Medical Leave Act. Medical certification of a serious health condition may be required by your agency.			
6. Remarks: USE OR LOSE			
7. Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that falsification on this form may be grounds for disciplinary action, including removal.			
7a. Employee Signature <i>Dave J. McCutcheon</i>		7b. Date 9/6/18	
8a. Official Action on Request: <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved		(If disapproved, give reason. If annual leave, initiate action to reschedule.)	
8b. Reason for Disapproval: INSUFFICIENT OPERATIONAL COVERAGE			
8c. Supervisor Signature <i>[Signature]</i>		8d. Date 11/21/18	
PRIVACY ACT STATEMENT Section 6311 of Title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosures of the information may be: to the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management.			

Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to Title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.

Office of Personnel Management
5 CFR 630

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OPM Form 71
Rev. September 2009
Formerly Standard Form (SF) 71
Previous editions usable

GC

Request for Leave or Approved Absence

1. Name (Last, first, middle) McCUTCHEON, DAUE				2. Pay Period# 19-01			
3. Organization NPS DOI/NPS/STLI/Interpretation-Education & Visitor Services							
4. Type of Leave/Absence (Check appropriate box(es) below)		Date From To		Time From To		Total Hours	
<input checked="" type="checkbox"/> Accrued Annual Leave		12/24/18 12/24/18		7:30 4:30		8	
<input type="checkbox"/> Restored Annual Leave							
<input type="checkbox"/> Advanced Annual Leave							
<input type="checkbox"/> Accrued Sick Leave							
<input type="checkbox"/> Advanced Sick Leave							
Purpose: <input type="checkbox"/> Illness/injury/incapacitation of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other							
<input type="checkbox"/> Compensatory Time Off							
<input type="checkbox"/> Other Paid Absence (Specify in Remarks)							
<input type="checkbox"/> Leave Without Pay							
6. Remarks: USE OR HOUSE							
7. Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/approved absence (and provide additional documentation, including medical certification, if required) and that falsification on this form may be grounds for disciplinary action, including removal.							
7a. Employee Signature <i>Daue McCutcheon</i>						7b. Date 9/6/18	
8a. Official Action on Request: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Disapproved						(If disapproved, give reason. If annual leave, initiate action to reschedule.)	
8b. Reason for Disapproval: Insufficient Operational Coverage							
8c. Supervisor Signature <i>[Signature]</i>						8d. Date 11/21/18	
PRIVACY ACT STATEMENT Section 6311 of Title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosures of the information may be: to the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management.							
Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to Title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.							

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(6C)

Request for Leave or Approved Absence

1. Name (Last, first, middle) McCutcheon, DAVE J			2. Pay Period# 19-01		
3. Organization DOI/NPS/STLI/Interpretation-Education & Visitor Services					
4. Type of Leave/Absence (Check appropriate box(es) below)	Date From To		Time From To		Total Hours
<input type="checkbox"/> Accrued Annual Leave	12/26	12/28	7.30	4 PM	32
<input type="checkbox"/> Restored Annual Leave					
<input type="checkbox"/> Advanced Annual Leave					
<input type="checkbox"/> Accrued Sick Leave					
<input type="checkbox"/> Advanced Sick Leave					
Purpose: <input type="checkbox"/> Illness/injury/loss of capacity of requesting employee <input type="checkbox"/> Medical/dental/optical examination of requesting employee <input type="checkbox"/> Care of family member, including medical/dental/optical examination of family member, or bereavement <input type="checkbox"/> Care of family member with a serious health condition <input type="checkbox"/> Other					
<input type="checkbox"/> Compensatory Time Off					
<input type="checkbox"/> Other Paid Absence (Specify in Remarks)					
<input type="checkbox"/> Leave Without Pay					
5. Family and Medical Leave If annual leave, sick leave, or leave without pay will be used under the Family and Medical Leave Act of 1993, please provide the following information: <input type="checkbox"/> I hereby invoke my entitlement to Family and Medical Leave for: <input type="checkbox"/> Birth/Adoption/Foster Care <input type="checkbox"/> Serious health condition of spouse, son, daughter, or parent <input type="checkbox"/> Serious health condition of self Contact your supervisor and/or your personnel office to obtain additional information about your entitlements and responsibilities under the Family and Medical Leave Act. Medical certification of a serious health condition may be required by your agency.					
6. Remarks:					
7. Certification: I hereby request leave/approved absence from duty as indicated above and certify that such leave/absence is requested for the purpose(s) indicated. I understand that I must comply with my employing agency's procedures for requesting leave/absence (and provide additional documentation, including medical certification, if required) and that falsification on this form may be grounds for disciplinary action, including removal.					
7a. Employee Signature <i>David J. McCutcheon</i>			7b. Date AUG 21, 18		
8a. Official Action on Request: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Disapproved			(If disapproved, give reason. If annual leave, initiate action to reschedule.)		
8b. Reason for Disapproval: <i>Insufficient Operational Coverage</i>					
8c. Supervisor Signature <i>Theresa McG...</i>			8d. Date 11-21-18		
PRIVACY ACT STATEMENT Section 6311 of Title 5, United States Code, authorizes collection of this information. The primary use of this information is by management and your payroll office to approve and record your use of leave. Additional disclosures of the information may be: to the Department of Labor when processing a claim for compensation regarding a job connected injury or illness; to a State unemployment compensation office regarding a claim; to Federal Life Insurance or Health Benefits carriers regarding a claim; to a Federal, State, or local law enforcement agency when your agency becomes aware of a violation or possible violation of civil or criminal law; to a Federal agency when conducting an investigation for employment or security reasons; to the Office of Personnel Management or the General Accounting Office when the information is required for evaluation of leave administration; or the General Services Administration in connection with its responsibilities for records management.					
Public Law 104-134 (April 26, 1996) requires that any person doing business with the Federal Government furnish a social security number or tax identification number. This is an amendment to Title 31, Section 7701. Furnishing the social security number, as well as other data, is voluntary, but failure to do so may delay or prevent action on the application. If your agency uses the information furnished on this form for purposes other than those indicated above, it may provide you with an additional statement reflecting those purposes.					

Office of Personnel Management
CFR 630

Local Reproduction Authorized

OPM Form 71
Rev. September 2009
Formerly Standard Form (SF) 71
Previous editions usable

Roy H. Siegel, D.C.

Chiropractor

Diplomate, American Board of Chiropractic Orthopedics

8 W. 65th St., Ste. 1-C

New York, NY 10023

(212) 769-8911

Fax (212) 769-8914

December 20, 2018

RE: Dave McCutcheon

To Whom It May Concern:

Mr. McCutcheon received treatment in my office today for musculoskeletal and foot complaints. In order to avoid aggravating his condition, I have recommended he stay home from work today.

Please contact me directly, if you have any questions.

Sincerely,



Roy H. Siegel, D.C.

ROY H. SIEGEL, D.C.

Chiropractor
Diplomate American Board of Chiropractic Orthopedics
8 West 65th Street, Suite 1-C
New York, NY 10023
(212) 769-8911
FAX (212) 769-8914

February 7, 2019

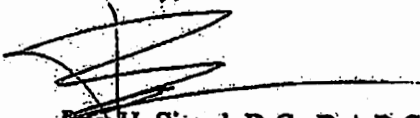
RE: Dave McCutcheon

To Whom It May Concern:

Mr. McCutcheon has been participating in a physical therapy program to help in the injury recovery and rehabilitation of his left foot/ankle. He was directed not to stand performing his usual duties specifically during the period of December 26th and December 27th in order not to aggravate his condition.

If you require additional information, please provide a signed authorization from the patient.

Sincerely,



Roy H. Siegel, D.C., D.A.B.C.O.

From liberty

David C. Mehl, D.P.M., P.C.
Podiatric Medicine and Foot Surgery
63-10 108 Street
Forest Hills, N.Y. 11375
tel. 718 896-1650
fax 718 896-3088

WORK EXCUSE NOTE

Date: 02/28/19

Patient: Dave McClutcheon



To Whom It May Concern:

Dave McClutcheon is being treated for a foot problem at our office.

Please excuse Dave from work on 02/28/19.

If there are any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "David Mehl".

David Mehl, DPM

Earnings and Leave Statement - Employee Express

Department of the Interior		For Pay Period Ending 01/05/2019		Net Pay	
Earnings and Leave Statement		Pay Period # 01		Pay Date 01/15/2019	
Name ACQUITCHON, DAVE J.		Pay Plan/Grade/Step GS GS 13		Annual Salary [REDACTED]	
Home Address [REDACTED]		Pay Check Address [REDACTED]			
Basic Information		Agency NPS		Cumulative Retirement Agency \$11,627.73	
Service Comp Date 07/15/2000		Duty Station NY		FLRA Case NON-EXEMPT	
Dept ID 04		Pay Begin Date 12/23/2018		Financial Institution JPMORGAN CHASE	
Organization Code 1840		TSP Roth Amt% 0%			
TSP Tax Deferred Amt% 15%					
Your Pay Consists of		Tax Information		Additional Current Wages	
Gross Pay [REDACTED]		Marital Status		Withholding	
Total Deductions [REDACTED]		Federal 8		Wages 42.00	
Net Pay [REDACTED]		State (NY) 8		YTD Wages [REDACTED]	
		City (NEW YORK) 8			
EARNINGS					
Type	Rate	Adjusted	ADJ Hours	Hours	Current
Regular	[REDACTED]			42.00	[REDACTED]
Holiday-Worked				8.00	
DEDUCTIONS					
Type	Rate	Adjusted	Current	YTD	Type
Federal Taxes			[REDACTED]	[REDACTED]	State Tax 1 (NY)
Local Taxes (NEW YORK)			[REDACTED]	[REDACTED]	Health Benefits - Pre-tax
TSP Tax Deferred	6.2		[REDACTED]	[REDACTED]	Retirement - FERS
GAOBI Tax			[REDACTED]	[REDACTED]	Medicare Tax
FEOLJ - Regular			[REDACTED]	[REDACTED]	Union Dues
BENEFITS PAID BY GOVT.					
Type	Current	YTD	Type	Current	YTD
FEOLJ	[REDACTED]	[REDACTED]	FERS	[REDACTED]	[REDACTED]
Medicare	[REDACTED]	[REDACTED]	GAOBI	[REDACTED]	[REDACTED]
TSP Basic	[REDACTED]	[REDACTED]	TSP Matching	[REDACTED]	[REDACTED]
FERS	[REDACTED]	[REDACTED]			
LEAVE					
Type	Begin Bal	End Bal	Earned	Used	Used
	Current	Current	Current	Current	Current
Annual Leave	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Sick Leave	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Comp Time	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Time Off Award	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Annual Donated	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
AWOL	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Admin	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
ANNUAL LEAVE					
Category: 8	Projected Year End Balance	0.00	Maximum Carry Over: 240.00	Use Or Loss Balance: \$1.45	
REMARKS					
COMP TIME EXPIRES 04/01/2019					
US FREE FILE IS AVAILABLE FOR INDIVIDUALS WITH ADJUSTED GROSS INCOME OF LESS THAN \$68,000					
PREPARE AND FILE YOUR TAXES THE EASY, SAFE AND FREE WAY: WWW.IRS.GOV/FREEFILE					
REMARKS/ISSUES: PAY/LEAVE QUESTIONS? CALL DOI CUSTOMER SUPPORT CENTER: 1-888-367-1322, OPTION 3					
EMPLOYEE IS RESPONSIBLE FOR VERIFICATION OF PAY, DEDUCTIONS, AND LEAVE.					
THIS REPORT CONTAINS INFORMATION SUBJECT TO THE PRIVACY ACT OF 1974 AS AMENDED					

<https://www.employeeexpress.gov/ELS>

1/22/2015